

REMARKS

Applicant respectfully requests reconsideration of this application. Claims 1-14 were pending. Claims 1, 3-5, and 9-10 have been amended. Claim 2 has been canceled without prejudice. New claims 23-25 have been added. Claims 1, 3-14, and 23-25 are currently pending.

The Examiner has rejected claims 1 and 6-9 under 35 U.S.C. §103(a) as being unpatentable over Johnson (US 3,778,662) in view of Roberts (US 4,633,128). Applicant respectfully traverses the rejection. Claim 1 as amended sets forth:

a first electrode comprising a first rod having a first end and a second end, the first end being mounted in the first cap, the first electrode further defining a *ridge* near the second end;

a second electrode comprising a second rod having a first end and a second end, the first end of the second rod being mounted in the second cap;

a first set of one or more getters, each of the one or more getters comprising a *disc* having a cavity defined substantially at a center of the disc and the first rod of the first electrode passing through the cavity such that the getter is mounted on the first rod between the first and the second ends of the first rod; and

a *retainer ring* mounted at the ridge near the second end of the first electrode to hold the one or more getters in place.

(Claim 1, emphasis added).

As admitted in the Office Action, Johnson and Roberts do not disclose any getters (Office Action, p. 4). However, the Office Action argued that another reference, Waymouth (US 3,728,004) discloses an arc lamp comprising one or more getters, each of the one or more getters comprising a *disc* having a cavity defined substantially at the center of the disc, referring to reference numeral 8 in Figures 2

and 3 of Waymouth. Applicant respectfully disagrees with the Office Action.

According to Waymouth, the object 8 in Figures 2 and 3 is *a getter device 8 in the form of a metal strip surrounding coil 5* (Waymouth, Figures 2 and 3; col. 2, ln. 61-65). Therefore, the getter device 8 in Waymouth does not comprise a disc.

Furthermore, the lamp in Waymouth does not include any *retainer ring* mounted at a ridge near a second end of the electrode to hold the getter device 8 in place. The getter device 8 in Waymouth is supported from the stem press 4 by a *wire* 9 (Waymouth, Figures 2 and 3; col. 2, ln. 61-65). Likewise, neither Johnson nor Roberts discloses a *retainer ring* mounted at the ridge near the second end of the first electrode to hold the one or more getters in place.

For at least the above reason, Johnson, Roberts, and Waymouth, alone or in combination, fail to teach every limitation set forth in claim 1. Therefore, claim 1 is patentable over Johnson in view of Roberts and Waymouth. Withdrawal of the rejection is respectfully requested.

Claims 6-9 depend, directly or indirectly, from claim 1. Thus, claims 6-9 are patentable over Johnson in view of Roberts and Waymouth for at least the reason discussed above with respect to claim 1. Withdrawal of the rejection is respectfully requested.

The Examiner has rejected claims 2-5 and 10-14 under 35 U.S.C. §103(a) as being unpatentable over Johnson and Roberts as applied to claim 1 above, and further in view of Waymouth (US 3,728,004). Applicant respectfully traverses the rejection. Claim 2 has been canceled without prejudice, thus obviating the rejection.

Claims 3-5 depend from claim 1, and thus, are patentable over Johnson in view of Roberts and Waymouth for at least the reason discussed above with respect to claim

1. Withdrawal of the rejection is respectfully requested.

For the reason discussed above with respect to claim 1, claim 10 is patentable over Johnson in view of Roberts and Waymouth. Claims 11-14 depend from claim 10, and thus, are also patentable over Johnson in view of Roberts and Waymouth. Withdrawal of the rejection is respectfully requested.


New claims 23-25 have been added without introducing any new matter. It is respectfully submitted that new claims 23-25 are novel and patentable over the art of record. Allowance of new claims 23-25 is earnestly solicited.

Applicant respectfully submits that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call C. Teresa Wong at (408) 720-8300.

Pursuant to 37 C.F.R. 1.136(a)(3), Applicant hereby requests and authorizes the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,
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